

REMARKS

By the present amendment, informalities in the specification have been corrected.

The rejection of claims 21 - 43 under 35 USC 103(a) as being unpatentable over Mise (2002/0013723 A1) in view of Yablonowski et al (6,535,859), is traversed in that applicants submit that Mise is not properly utilizable in rejecting claims of this application, for the reasons as discussed below.

Applicants note that the present application claims priority under 35 USC §119 for Japanese Patent Application No. 2001-067950, filed in Japan on March 12, 2001, as indicated in the declaration submitted in this application. Applicants note that on September 18, 2001, a certified copy of the Japanese patent application was submitted, together with a letter claiming right of priority, and it is noted that the filing date was inadvertently indicated as "August 12, 2001" in the letter, rather than the correct date of "March 12, 2001". Accordingly, submitted herewith is a corrected letter claiming right of priority.

In accordance with the procedures set forth in MPEP §201.15, submitted herewith is a verified English translation of the priority document of Japanese Patent Application No. 2001-067950. Accordingly, applicants submit that the present application is entitled to the benefit of the Japanese filing date of March 12, 2001 for this application. Applicants note that Mise has a US filing date of May 23, 2001 which is subsequent to the priority date of March 12, 2001, to which this application is entitled. Accordingly, applicants submit that Mise is not properly utilizable in rejecting claims of this application under 35 USC 102 and/or 35 USC 103.

Therefore, applicants submit that the rejection of claims 21 - 43 under 35 USC 103(a) as being unpatentable over Mise in view of Yablonowski et al is not a proper

rejection, since Mise et al cannot be properly utilized in the combination as set forth. Accordingly, all claims should be considered allowable over the cited art at this time.

Applicants note that the Examiner has recognized the individual deficiencies of Mise and Yablonowski et al, and applicants have previously pointed out the deficiencies and the impropriety of the combination. Accordingly, it is considered unnecessary to present further arguments regarding the deficiency of the remaining reference of Yablonowski et al in reference to the claimed invention.

In view of the above amendments and remarks, applicants submit that claims 21 - 43 of this application should now be in condition for allowance for allowance, and issuance of a Notice of Allowance is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.40416X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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